

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 621**  
**91ST GENERAL ASSEMBLY**

1649L.03T

2001

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**AN ACT**

To amend chapter 217, RSMo, relating to the department of corrections by adding thereto one new section creating the Missouri state penitentiary redevelopment commission.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be  
2 known as section 217.900, to read as follows:

**217.900. 1. There is hereby established the "Missouri State Penitentiary  
2 Redevelopment Commission".**

**3 2. The commission shall consist of ten commissioners who shall be qualified voters  
4 of the state of Missouri. Three commissioners, no more than two of whom shall belong to  
5 the same political party, shall be residents of Jefferson City and shall be appointed by the  
6 mayor of that city with the advise and consent of the governing body of that city; three  
7 commissioners, no more than two of whom shall belong to the same political party, shall  
8 be residents of Cole County but not of Jefferson City and shall be appointed by the county  
9 commission; and four commissioners, no more than three of whom shall belong to the same  
10 political party, none of whom shall be residents of Cole County or of Jefferson City, shall  
11 be appointed by the governor with the advice and consent of the senate. The governor  
12 shall appoint one of the commissioners who is not a resident of Cole County or Jefferson  
13 City to be the chair of the commission. No elected official of the state of Missouri or of any  
14 city or county in this state shall be appointed to the commission.**

**15 3. The commissioners shall serve for terms of three years, except that the first  
16 person appointed by each the mayor, the county commission and the governor shall serve  
17 for two years and the second person appointed by the governor shall serve for four years.  
18 Each commissioner shall hold office until a successor has been appointed and qualified.  
19 In the event a vacancy exists or in the event a commissioner's term expires, a successor**

20 commissioner shall be appointed by whomever appointed the commissioner who initially  
21 held the vacant positions and if no person is so selected within sixty days of the creation of  
22 the vacancy, the unexpired term of such commissioner may be filled by a majority vote of  
23 the remainder of the commissioners, provided such successor commissioner shall meet the  
24 requirements set forth by this section. Pending any such appointment to fill any vacancy,  
25 the remaining commissioners may conduct commission business. Commissioners shall  
26 serve without compensation but shall be entitled to reimbursement from the Missouri state  
27 penitentiary redevelopment commission fund established in subsection 7 of this section for  
28 expenses incurred in conducting the commission's business.

29 **4. The commission shall have the following powers:**

30 **(1) To acquire title to the property historically utilized as the Missouri state**  
31 **penitentiary and to acquire by gift or bequest from public or private sources property**  
32 **adjacent thereto and necessary or appropriate to the successful redevelopment of the**  
33 **Missouri state penitentiary property;**

34 **(2) To lease or sell real property to developers who will utilize the property**  
35 **consistent with the master plan for the property;**

36 **(3) To adopt bylaws for the regulation of its affairs and the conduct of its business;**

37 **(4) To hire employees necessary to perform the commission's work;**

38 **(5) To contract and to be contracted with, including, but without limitation, the**  
39 **authority to enter into contracts with cities, counties and other political subdivisions,**  
40 **agencies of the state of Missouri and public agencies pursuant to sections 70.210 to 70.325,**  
41 **RSMo, and otherwise, and to enter into contracts with other entities, in connection with**  
42 **the acquisition by gift or bequest and in connection with the planning, construction,**  
43 **financing, leasing, subleasing, operation and maintenance of any real property or facility**  
44 **and for any other lawful purpose, and to sue and to be sued;**

45 **(6) To receive for its lawful activities any rentals, proceeds from the sale of real**  
46 **estate, contributions or moneys appropriated or otherwise designated for payment to the**  
47 **authority by municipalities, counties, state or other political subdivisions or public agencies**  
48 **or by the federal government or any agency or officer thereof or from any other sources**  
49 **and to apply for grants and other funding;**

50 **(7) To disburse funds for its lawful activities and fix salaries and wages of its**  
51 **employees;**

52 **(8) To invest any of the commission's funds in such types of investments as shall be**  
53 **determined by a resolution adopted by the commission;**

54 **(9) To borrow money for the acquisition, construction, equipping, operation,**  
55 **maintenance, repair, remediation or improvement of any facility or real property to which**

56 the commission holds title and for any other proper purpose, and to issue negotiable notes,  
57 bonds and other instruments in writing as evidence of sums borrowed;

58 (10) To perform all other necessary and incidental functions, and to exercise such  
59 additional powers as shall be conferred by the general assembly; and

60 (11) To purchase insurance, including self-insurance, of any property or operations  
61 of the commission or its members, directors, officers and employees, against any risk or  
62 hazard, and to indemnify its members, agents, independent contractors, directors, officers  
63 and employees against any risk or hazard.

64 5. In no event shall the state be liable for any deficiency or indebtedness incurred  
65 by the commission.

66 6. The income of the commission and all properties any time owned by the  
67 authority shall be exempt from all taxation in the state of Missouri.

68 7. There is hereby created in the state treasury the "Missouri State Penitentiary  
69 Redevelopment Commission Fund", which shall consist of money collected pursuant to this  
70 section. The fund shall be administered by the Missouri state penitentiary redevelopment  
71 commission. Money in the fund shall be used solely for the purposes of the Missouri state  
72 penitentiary redevelopment commission.

73 8. Notwithstanding the provisions of section 33.080, RSMo, no portion of the fund  
74 shall be transferred to the general revenue fund, and any appropriation made to the fund  
75 shall not lapse. The state treasurer shall invest moneys in the fund in the same manner as  
76 other funds are invested. Interest and moneys earned on such investments shall be credited  
77 to the fund.

78 9. Upon the dissolving of the commission, any funds remaining in the Missouri  
79 State Penitentiary Commission Fund shall be transferred to the general revenue fund.